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November 2, 2004

Federal Election Commission
Reports Analysis Division

Attn: Chris Jones, Campaign Finance Analyst

RE: Your Letter Dated October 28, 2004
12 Day Pre-General Report (10/1/04 - 10/13/04)

Item 1:

The excess contribution from Randolph Delay on 10/13/04 was refunded to Mr. Delay by our check number 5180 on 10/15/04. Deposit of his contribution was necessary because the check included a permissible \$2000.00 contribution from his spouse, Drucilla Delay, and a permissible \$1,000.00 contribution by Mr. Delay to the General 04 Election.

Item 2:

The payments to the Nat'l Republican Congressional Committee were incorrectly characterized as a "contribution." We will file an amended report shortly and these payments will be reported as "transfer of campaign funds."

Item 3:

The column B year to date amounts for refunds show a decrease in PAC refunds, year to date, of \$1000.00 and an increase in Individual Refunds, year to date, of \$1000.00. This occurs because we paid a refund of \$1,000.00 to the Jicarilla Apache Tribe on 11/08/02 and we classified the Tribe as a "PAC." In 2003 we were advised by the FEC to classify Indian Tribes as "Individuals." During the period we received a contribution from the Tribe and we reported it as an "Individual" contribution. This caused the earlier refund to move from the "PAC Refund Line 20c" to the "Individual Refund Line 20a." I have a call into your office requesting guidance on how to handle this question.

Sincerely
Robert J Bohnert